THE HON'BLE SRI JUSTICE D.S.R. VARMA

And

THE HON'BLE SRI JUSTICE P. SWAROOP REDDY

W.P.No. 16636 of 1992
Dated: Third day of January, 2007.

Between:
The Gujarat Machinery Manufacturers Ltd.

...Petitioner

and

Andhra Pradesh State Electricity Board, represented
By its Secretary, Vidyuth Soudha, Hyderabad.

...Respondent

O r d e r

(Per P. Swaroop Reddy, J.)

This writ petition is filed seeking Writ of Mandamus directing the respondent-Andhra Pradesh State Electricity Board (presently APGENCO) to produce before this court the report of the Chief Engineer, Electricity (Projects Construction) & Enquiry Officer, Vidyuth Soudha, Hyderabad in Lr.No.EC(PC)/EO/KTPS/7th Unit/24/81 dated:21—9—1981, initiate and or take all steps as are necessary against the employees found guilty therein and for taking the Enquiry report to its logical conclusion by punishing the delinquent employees.

2. This writ petition is predominantly filed to make use of the result of the said Enquiry Report in case it goes against the plaintiff in O.S.No. 917 of 1985 filed by the APSEB, against the

present petitioner – The Gujarat Machinery Manufacturers Ltd., as it is the contention of the petitioner that on account of the negligence of the employees of the Board, the explosion took place in KTPS Paloncha and that it was not on account of the negligence of the petitioner, the defendant in the above suit. The allegation against the present petitioner (the defendant) was that the explosion has occurred on account of impure *Hydrogen* produced and supplied by the petitioner and that instead of *Hydrogen*, *Oxygen* was produced in the plant erected by the defendant. As the suits were disposed of on the basis of detailed oral and documentary evidence and the appeals filed against the same are being disposed of along with this writ petition, today, we feel that no relief need be granted in this writ petition. Further more, it is a matter between the employee and the employer – APSEB and its employees. The petitioner cannot have any jurisdiction in the matter.

3. In the result the writ petition is dismissed. No costs.

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D.S.R. VARMA, J.

Dated:03--01—2007.
***BVS**

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P. SWAROOP REDDY, J.